

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES MICHAEL STEVENSON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 10-15096

Honorable Patrick J. Duggan

OPINION AND ORDER (1) ADOPTING MAGISTRATE JUDGE MONA K. MAJZOUB'S REPORT AND RECOMMENDATION DATED NOVEMBER 21, 2011; (2) DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT; AND (3) GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

On December 23, 2010, Plaintiff filed this lawsuit challenging a final decision of the Commissioner denying Plaintiff's application for Social Security Disability Insurance Benefits. On June 1, 2011, Plaintiff filed a motion for summary judgment. On July 1, 2011, Defendant filed a motion for summary judgment. This matter has been referred to Magistrate Judge Mona K. Majzoub for determination of all non-dispositive motions pursuant to 28 U.S.C. § 636(b)(1)(A) and issuance of a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and (C).

On November 21, 2011, Magistrate Judge Majzoub filed a Report and Recommendation (R&R) recommending that this Court deny Plaintiff's motion for summary judgment and grant Defendant's motion. (Doc. 10.) At the conclusion of the R&R, Magistrate Judge Majzoub advises the parties that they may object and seek review

of the R&R within fourteen days of service upon them. (*Id.* at 12.) She further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*, citing *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Sec’y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991).) Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Majzoub.

Accordingly,

IT IS ORDERED, that the Court adopts the recommendations in Magistrate Judge Mona K. Majzoub’s November 21, 2011 Report and Recommendation;

IT IS FURTHER ORDERED, Plaintiff’s motion for summary judgment is **DENIED**;

IT IS FURTHER ORDERED, that Defendant’s motion for summary judgment is **GRANTED**.

Date: February 15, 2012

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:
Mikel E. Lupisella, Esq.

AUSA Derri T. Thomas

Magistrate Judge Mona K. Mazjoub